

***IN THE DISTRICT COURT OF THE UNITED STATES
for the Western District of New York***

**October 2023 GRAND JURY
(Impaneled 10/11/2023)**

THE UNITED STATES OF AMERICA

INDICTMENT

-vs-

ERIC ANTHONY

Violations:

Title 18, United States Code,
Sections 115(a)(1)(B), 875(c), and
924(c)(1)(A)(i)

(3 Counts and Forfeiture Allegation)

COUNT 1

(Threatening to Assault or Murder a Federal Law Enforcement Official)

The Grand Jury Charges That:

On or about April 18, 2024, in the Western District of New York, and elsewhere, the defendant, **ERIC ANTHONY**, did threaten to assault and murder Special Agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, with intent to impede, intimidate, and interfere with Special Agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, while they were engaged in the performance of their official duties and to retaliate against Special Agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, on account of the performance of their official duties.

All in violation of Title 18, United States Code, Sections 115(a)(1)(B) and 115(b)(4).

COUNT 2

(Interstate Communication Threatening to Injure a Person)

The Grand Jury Further Charges That:

On or about April 18, 2024, in the Western District of New York, and elsewhere, the defendant, **ERIC ANTHONY**, did knowingly, willfully, and unlawfully, and for the purpose of issuing a threat and with knowledge that the communication would be viewed as a threat, transmit a communication in interstate and foreign commerce, that is, an email message sent from the State of New York to “atftips@atf.gov” in the District of Columbia, which contained threats to injure the persons of another, specifically, Special Agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

All in violation of Title 18, United States Code, Section 875(c).

COUNT 3

(Possession of a Firearm in Furtherance of a Crime of Violence)

The Grand Jury Further Charges That:

Between on or about April 18, 2024, and on or about April 20, 2024, in the Western District of New York, the defendant, **ERIC ANTHONY**, in furtherance of a crime of violence for which he may be prosecuted in a court of the United States, that is, a violation of Title 18, United States Code, Section 875(c), committed in the manner set forth in Count 2 of this Indictment, the allegations of which are incorporated herein by reference, did knowingly possess firearms.

All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

FORFEITURE ALLEGATION

The Grand Jury Alleges That:

Upon conviction of Count 3 of this Indictment, the defendant, **ERIC ANTHONY**,

shall forfeit all his right, title, and interest to the United States of any firearms and ammunition involved and used in the commission of the offense, and found in his possession or under his immediate control at the time of arrest, including, but not limited to:

- a. One (1) Privately-Made Rifle, .556 caliber, with no identifiable markings or serial number;
- b. One (1) Privately-Made Pistol, 9 mm, with no identifiable markings or serial number;
- c. Approximately three hundred twenty (320) rounds of .556 caliber ammunition;
- d. Approximately four hundred forty-five (445) rounds of .9 mm caliber ammunition; and
- e. Approximately one hundred (100) rounds of Hornady ammunition, unknown caliber.

All pursuant to Title 18, United States Code, Sections 924(d) and 3665, and Title 28, United States Code, Section 2461(c).

DATED: Buffalo, New York, April 30, 2024.

TRINI E. ROSS
United States Attorney

BY: s/NICHOLAS T. COOPER
Assistant United States Attorney
United States Attorney's Office
Western District of New York
100 State Street
Rochester, New York 14614
585/935-7512
Nicholas.Cooper@usdoj.gov

A TRUE BILL:

s/FOREPERSON